Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-13 are now in the application. Claims 1 and 4 have been amended. Claims 9-13 have been added. Support for claims 9-13 can be found claims 1-8 and on pages 2-5 of the specification. No new matter has been added

In item 1 on page 2 of the above-identified Office action, claims 1, 4, and 6 have been rejected as being obvious over De Vries (U.S. Patent No. 3,372,925) in view of Ellison (U.S. Patent No. 3,485,488) under 35 U.S.C. § 103.

The rejection has been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. The claims are patentable for the reasons set forth below. Support for the changes is found on page 2, lines 8-16 of the specification.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, *inter alia*:

> the conveyor belts in the third singulating section are configured to have a speed of travel that is higher than the speed of travel of the conveyor belts of the second singulating section, which is disposed upstream of the third singulating section in the direction of travel, and the conveyor belts in the second singulating section are configured to have a speed of travel that is higher than the speed of travel of the conveyor belts of the first singulating section, which is disposed upstream of the second singulating section in the direction of travel, the first singulating section being provided with a first deflection roller of the conveyor belts of the first singulating section, the second singulating section being provided with second and third deflection rollers of the conveyor belts of the second singulating section, and the third singulating section being provided with a fourth deflection roller of the conveyor belts of the third singulating section, the first and second deflection rollers being disposed at different heights along a common axis at a transition between the first and second singulating sections, and the third and fourth deflection rollers being disposed at different heights along a common axis at a transition between the second and third singulating sections.

Claim 11 calls for, *inter alia*:

> driving the conveyor belts in the second singulating section with a speed of travel which is greater than the speed of travel of the conveyor belt of the first singulating section disposed upstream of the second singulating section in the direction of travel, and driving the conveyor belts in the third singulating section with a speed of travel of which is greater than the speed of travel of the conveyor belts of the second singulating section, which is disposed upstream of the third singulating section in the direction of travel.

It is a requirement for a *prima facie* case of obviousness, that the prior art references must teach or suggest **all** the claim limitations.

The references do not show or suggest the conveyor belts in the third singulating section are configured to have a speed of travel that is higher than the speed of travel of the conveyor belts of the second singulating section, which is disposed upstream of the third singulating section in the direction of travel, and the conveyor belts in the second singulating section are configured to have a speed of travel that is higher than the speed of travel of the conveyor belts of the first singulating section, which is disposed upstream of the second singulating section in the direction of travel, as recited in claim 1 of the instant application.

Furthermore the references do not show or suggest the first singulating section being provided with a first deflection roller of the conveyor belts of the first singulating section, the second singulating section being provided with second and third deflection rollers of the conveyor belts of the second singulating section, and the third singulating section being provided with a fourth deflection roller of the conveyor belts of the third singulating section, the first and second deflection rollers being disposed at different heights along a

common axis at a transition between the first and second singulating sections, and the third and fourth deflection rollers being disposed at different heights along a common axis at a transition between the second and third singulating sections, as recited in claim 1 of the instant application.

The references applied by the Examiner **do not** teach or suggest all the claim limitations. Therefore, there is no *prima facie* case of obviousness.

Since claim 1 is allowable over De Vries in view of Ellison, dependent claims 4 and 6 are allowable over De Vries in view of Ellison.

The following further remarks pertain to new claim 11.

It is a requirement for a *prima facie* case of obviousness, that the prior art references must teach or suggest **all** the claim limitations.

The references do not show or suggest driving the conveyor belts in the second singulating section with a speed of travel which is greater than the speed of travel of the conveyor belt of the first singulating section disposed upstream of the second singulating section in the direction of travel, and

driving the conveyor belts in the third singulating section with a speed of travel of which is greater than the speed of travel of the conveyor belts of the second singulating section, which is disposed upstream of the third singulating section in the direction of travel, as recited in claim 11 of the instant application.

The references applied by the Examiner **do not** teach or suggest all the claim limitations. Therefore, there is no *prima facie* case of obviousness.

Since claim 11 is allowable, dependent claims 12 and 13 are allowable as well.

In item 2 on page 6 of the Office action, claim 2 has been rejected as being obvious over De Vries (U.S. Patent No. 3,372,925) in view of Ellison (U.S. Patent No. 3,485,488) and further in view of Belec et al. (U.S. Patent No. 5,238,236) (hereinafter "Belec") under 35 U.S.C. § 103. Belec does not make up for the deficiencies of De Vries and Ellison. Since claim 1 is allowable, dependent claim 2 is allowable as well.

In item 3 on page 7 of the Office action, claims 3 and 7 have been rejected as being obvious over De Vries (U.S. Patent No. 3,372,925) in view of Ellison (U.S. Patent No. 3,485,488) and

further in view of Wojtowicz et al. (U.S. Patent No. 3,847,383) (hereinafter "Wojtowicz") under 35 U.S.C. § 103. Wojtowicz does not make up for the deficiencies of De Vries and Ellison. Since claim 1 is allowable, dependent claims 3 and 7 are allowable as well.

In item 4 on page 9 of the Office action, claim 5 has been rejected as being obvious over De Vries (U.S. Patent No. 3,372,925) in view of Ellison (U.S. Patent No. 3,485,488) and further in view of (JP 2-8123) (hereinafter " '123" under 35 U.S.C. § 103. '123 does not make up for the deficiencies of De Vries and Ellison. Since claim 1 is allowable, dependent claim 5 is allowable as well.

In item 5 on page 9 of the Office action, claim 8 has been rejected as being obvious over De Vries (U.S. Patent No. 3,372,925) in view of Ellison (U.S. Patent No. 3,485,488) and further in view of Kalika et al. (U.S. Patent No. 5,257,777) (hereinafter "Kalika") under 35 U.S.C. § 103. Kalika does not make up for the deficiencies of De Vries and Ellison. Since claim 1 is allowable, dependent claim 8 is allowable as well.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 and 11. Claims 1 and

11 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claims 1 or 11, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-13 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

Please charge any other fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,

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